



300.04 Harassment

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POLICY

Hendry County Sheriff's Office is committed to providing a workplace free of harassment; is strongly disapproving of and will not tolerate these types of illegal acts against employees, citizens, or any other persons with whom the employees of the Agency come into contact. Persons making complaints or allegations of harassment will not be subjected to retaliation. This policy applies to all employees of the Agency and also to all persons involved in business or services engaged in by the Agency.

PROCEDURE

A. Prohibited Conduct

1. Examples of conduct deemed to be in violation of this Procedure are given below.

These examples are not all-inclusive.

- a. Name calling (defamatory, insulting or abusive)
- b. Graffiti
- c. Graphic commentary about an individual's body, sexual prowess or abilities
- d. Insults or put-downs; ridicule or mockery; slurs; offensive or derogatory comments
- e. Interference with work performance
- f. Intimidation
- g. Leering, whistling or gestures of a sexual nature
- h. Offensive jokes
- i. Offensive objects or pictures; sexually graphic materials on display in the workplace
- j. Physical assaults or threats
- k. Physical contact of a sexual nature, such as pinching grabbing or unnecessarily brushing against another person's body; any other conduct of a sexual nature.
- l. Requests or demands for sexual favors in exchange for employment benefits
- m. Unwanted sexual propositions or flirtations; unwelcome sexual advances

B. Reporting/Investigation of Complaints of Harassment and/or Retaliation in the Workplace

1. Any person who observes or witnesses harassment and/or retaliation should report this behavior.

2. Any person who believes they are or have been the subject of harassment and/or retaliation are encouraged to notify the offender that their behavior is offensive and request the offender to discontinue such conduct. If the person is uncomfortable with confronting the offender, the person may report the allegation immediately, either in verbal or written format, directly to an immediate supervisor or to Human Resources/EEO Officer. Supervisors shall make the EEO Officer aware of all harassment complaints.
3. Complaints should be made in a timely manner.
4. An employee is not required to complain first to their supervisor if the supervisor is the subject of the complaint.
5. All complaints of harassment and/or retaliation will be investigated in accordance with Policy/Procedure 300.25: Internal Complaints and Investigative Procedures and respective collective bargaining agreements.
6. The complainant and accused will have the right to review any report generated by the investigator, along with the investigative file. Regardless of disposition, all reports and investigative files will be retained, but will not be available for public inspection unless otherwise provided by law. To the extent such reports and related documentation constitutes a public record under Florida law, the terms of Florida Statutes Chapter 119 will be complied with.

C. Remedial Actions

1. Corrective action can range from agency intervention to formal discipline.
2. If the complaint is sustained against a non-employee, appropriate action will be taken to prevent further incidents of harassment and/or retaliation including, but not limited to, counseling or prohibiting that person from being involved in a situation that might allow the offending conduct to reoccur.

DEFINITIONS

HARASSMENT – Harassment is a form of employment discrimination based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information, or, any form of unwelcome sexual conduct, either verbal or physical, which creates an intimidating, hostile, or offensive working environment. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

RETALIATION – Includes action taken against any employee or other person for making a complaint of harassment, sexual harassment, sexual discrimination or for having testified, assisted or participated, in any manner, in an investigation or proceeding with regard to such a complaint.

REFERENCES

State/Federal Regulations:

Florida Statutes Chapter 119

CFA:

CFA Standard 7.07M

Forms:

None

Other Policy/ Procedure References:

300.25 Internal Complaints and Investigative